

IN THE SUPREME COURT OF
THE STATE OF FLORIDA

INQUIRY CONCERNING A JUDGE NOS. 08-360, 08-392 CASE NO. _____
RE: JUDGE ANGELA DEMPSEY

STIPULATION

In this disciplinary proceeding, the Investigative Panel of the Florida Judicial Qualifications Commission (the “JQC”) and Circuit Court Judge Angela Dempsey (“Judge Dempsey”) present the following stipulation to this Court pursuant to Article V, Section 12 of the Florida Constitution and Rule 6(j) of the Florida Judicial Qualifications Commission Rules as amended.

1. Under Rule 6(j), the Investigative Panel “may reach agreement with a judge on discipline or disability, and such stipulation shall be transmitted directly to the Supreme Court, to accept, reject or modify in whole or in part.”

2. A Notice of Investigation was served on Judge Dempsey on January 29, 2009. Judge Dempsey submitted an Affidavit controverting the assertions in that Notice on February 12, 2009. A hearing before the Investigative Panel was conducted in Tampa, Florida on February 20, 2009 at which Judge Dempsey appeared and testified under oath.

3. Upon a complete record review, including Judge Dempsey’s testimony, the Investigative Panel respectfully submits that the interests of justice

and sound judicial administration are best served by this Stipulation regarding the matters at issue and by the Findings and Recommendations that accompany this Stipulation.

4. The violations charged arise from Judge Dempsey handling of campaign consultants and campaign advertising during her successful campaign for the circuit court judgeship she now holds.

5. Judge Dempsey admits the following conduct:

During the campaign, Judge Dempsey employed the services of a political campaign consultant. Judge Dempsey is responsible for the conduct of her political consultant. Florida Code of Judicial Conduct, Canon 7A(3)(b). The consultant prepared two television commercials that advocated the election of Judge Dempsey. Without Judge Dempsey's knowledge or consent, these television advertisements were placed on a video sharing website called YouTube. The consultant titled a link to one of the commercials, "re-elect Angela Dempsey." The term "re-elect" was not used within the content of the commercials, but did appear on YouTube. The following statement was also used in Judge Dempsey's 2008 campaign literature: "I went to law school because I wanted to improve the lives of real people. After nearly 20 years and thousands of cases, I believe I have." Judge Dempsey acknowledges that use of the term "re-elect" was misleading because Judge Dempsey was then a gubernatorial appointee running for Circuit Court Judge for the first time, and though she was unaware of the YouTube placement, she accepts full responsibility for it. Further, Judge Dempsey also acknowledges that the use of the phrase "20 years" in her campaign material was misleading. While this phrase was intended to reference Judge Dempsey's 1991 enrollment in law school, it also suggested that she had been an attorney for 20 years, when in fact she was admitted to practice in 1994. The foregoing violated Canon 7A(3)(d)(ii) of the Judicial Canons.

6. Judge Dempsey accepts full responsibility for the conduct set forth above, admits that it should not have occurred, regrets and apologizes for such conduct, and agrees to a public reprimand before this Court.

7. The Investigative Panel and Judge Dempsey have reached an agreement for a public reprimand, which both believe is appropriate discipline under the circumstances. Consequently, the Investigative Panel has filed Findings and Recommendations of Discipline with the Court. A true and correct copy is attached hereto. Judge Dempsey does not contest the Findings and Recommendations and waives a plenary hearing before the Hearing Panel of the JQC.

8. The parties acknowledge and understand that this Stipulation and attached Findings and Recommendations of Discipline are subject to the review and approval of this Court. The parties acknowledge and understand that this Stipulation and Findings and Recommendations of Discipline may be rejected by the Court, and in that event this matter may be returned to the Hearing Panel for a final plenary hearing. In such an event, the parties agree that none of the statements in the Stipulation or the attached Findings and Recommendations of Discipline are admissible in that hearing for any purpose. The parties further agree

that none of the negotiations related to this Stipulation are admissible for any purpose.

9. The parties agree that oral argument before this Court is not necessary in light of the record, the nature of the charges and the contents of this Stipulation and the attached Findings and Recommendation of Discipline. As noted above, Judge Dempsey waives her right to further hearings if this stipulation is accepted.

Dated this _____ day of _____, 2009.

Respectfully submitted,

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